



March 22, 2001

ENGROSSED SENATE BILL No. 280

DIGEST OF SB 280 (Updated March 20, 2001 3:51 PM - DI 77)

Citations Affected: Noncode.

Synopsis: Methadone clinic moratorium. Extends the state imposed moratorium on methadone clinics until July 1, 2003. Makes conforming changes.

Effective: July 1, 2001.

Miller, Sipes

(HOUSE SPONSORS — BROWN C, FRIZZELL)

January 11, 2001, read first time and referred to Committee on Health and Provider Services.

January 25, 2001, amended, reported favorably — Do Pass.

January 29, 2001, read second time, ordered engrossed. Engrossed.

January 30, 2001, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2001, read first time and referred to Committee on Public Health.

March 21, 2001, reported — Do Pass.

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ES 280—LS 7714/DI 104+



March 22, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

ENGROSSED SENATE BILL No. 280

A BILL FOR AN ACT concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. P.L.76-1999, SECTION 1, IS AMENDED TO READ
2 AS FOLLOWS [EFFECTIVE JULY 1, 2001]: (a) As used in this
3 SECTION, "division" refers to the division of mental health.
4 (b) Except as provided in subsection (c), notwithstanding
5 IC 12-23-1-6(4), IC 12-23-14-7, and 440 IAC 4.4-2-1(e), the division
6 may not grant specific approval to be a new provider of any of the
7 following:
8 (1) Methadone.
9 (2) Levo-alpha-cetylmethadol.
10 (3) Levo-alpha-acetylmethadol.
11 (4) Levomethadyl acetate.
12 (5) LAAM.
13 (c) The division may not grant specific approval to be a new
14 provider of one (1) or more of the drugs listed under subsection (b)
15 unless:
16 (1) the drugs will be provided in a county with a population of
17 more than forty thousand (40,000);
18 (2) there are no other providers located in the county or in a

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1 county contiguous to the county where the provider will provide
2 the drugs; and

3 (3) the provider supplies, in writing:

4 (A) a needs assessment for Indiana citizens under guidelines
5 established by the division; and

6 (B) any other information required by the division.

7 (d) Except as provided in subsection (k), the division shall prepare
8 a report by June 30 of each year concerning treatment offered by
9 methadone providers that contains the following information:

10 (1) The number of methadone providers in the state.

11 (2) The number of patients on methadone during the previous
12 year.

13 (3) The length of time each patient received methadone and the
14 average length of time all patients received methadone.

15 (4) The cost of each patient's methadone treatment and the
16 average cost of methadone treatment.

17 (5) The rehabilitation rate of patients who have undergone
18 methadone treatment.

19 (6) The number of patients who have become addicted to
20 methadone.

21 (7) The number of patients who have been rehabilitated and are
22 no longer on methadone.

23 (8) The number of individuals, by geographic area, who are on a
24 waiting list to receive methadone.

25 (9) Patient information as reported to a central registry created by
26 the division.

27 (e) Each methadone provider in the state shall provide information
28 requested by the division for the report under subsection (d). The
29 information provided to the division may not reveal the specific
30 identity of a patient.

31 (f) The information provided to the division under subsection (e)
32 must be based on a calendar year.

33 (g) The information required under subsection (e) for calendar year
34 1998 must be submitted to the division not later than June 30, 1999.
35 Subsequent information must be submitted to the division not later
36 than:

37 (1) February 28, ~~2000~~, **2002**, for calendar year ~~1999~~, **2001**; and

38 (2) February 28, ~~2001~~, **2003**, for calendar year ~~2000~~, **2002**.

39 (h) Failure of a certified provider to submit the information required
40 under subsection (e) may result in suspension or termination of the
41 provider's certification.

42 (i) The division shall report to the governor and the legislative

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1 council the failure of a certified provider to provide information
2 required by subsection (e).

3 (j) The division shall distribute the report prepared under subsection
4 (d) to the governor and legislative council.

5 (k) The first report the division is required to prepare under
6 subsection (d) is due not later than September 30, 1999.

7 (l) The division shall establish a central registry to receive the
8 information required by subsection (d)(9).

9 (m) This SECTION expires July 1, ~~2001~~: **2003**.

10 SECTION 2. P.L.76-1999, SECTION 2 IS AMENDED TO READ
11 AS FOLLOWS [EFFECTIVE JULY 1, 2001]: (a) Notwithstanding
12 IC 35-48-3 and 856 IAC 2-3, the Indiana board of pharmacy may not
13 register a new applicant who plans to distribute any of the following
14 **unless the applicant has been approved by the division of mental**
15 **health under SECTION 1 of this act:**

16 (1) Methadone.

17 (2) Levo-alpha-cetylmethadol.

18 (3) Levo-alpha-acetylmethadol.

19 (4) Levomethadyl acetate.

20 (5) LAAM.

21 (b) This SECTION expires July 1, ~~2001~~: **2003**.

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SENATE MOTION

Mr. President: I move that Senator Sipes be added as second author of Senate Bill 280.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 280, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, reset in roman lines 7 through 42.

Page 2, line 37, strike "2000," and insert "**2002**,".

Page 2, line 37, strike "1999;" and insert "**2001**;".

Page 2, line 38, strike "2001," and insert "**2003**,".

Page 2, line 38, strike "2000." and insert "**2002**,".

Page 3, reset in roman lines 1 through 8.

Page 3, line 9, reset in roman "(m)".

Page 3, line 9, delete "(d)".

Page 3, line 13, delete ":" and insert "**unless the applicant has been approved by the division of mental health under SECTION 1 of this act:**".

and when so amended that said bill do pass.

(Reference is to SB 280 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 280, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BROWN C, Chair

Committee Vote: yeas 13, nays 0.

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